

EMERGENCY PURCHASE AFFIDAVIT

Reference # _____

Chief Procurement Officer (CPO) making a procurement under Illinois Procurement Code (30 ILCS 500/20-30) shall file affidavit with Procurement Policy Board and Auditor General within 10 days.

Agency: Capital Development Board Division: _____

Address: 401 South Spring Street

City: Springfield State: IL Zip: 62706

Vendor: KJWW Engineering Consultants

Address: 623 26th Street

City: Rock Island State: IL Zip: 61201

State of Illinois)
: SS

County of Lee

I, Gus Behnke being duly sworn, solemnly swear and affirm that I am Chief Fiscal Officer.

I have authorized the emergency procurement in accordance with standards as established by law and rule in fulfillment of the emergency purchase affidavit provisions of Illinois Procurement Code [30 ILCS 500/20-30] as follows.

- ☐ Involving threat to public health or public safety.
- ☒ Immediate expenditure is necessary for repairs to State property to protect against further loss of or damage
- ☒ To prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues.
- ☐ To insure integrity of State records
- ☐ Quick purchase as provided by Section 20-30 (d) of the Illinois Procurement Code

The conditions and circumstances requiring this emergency purchase, including reason for selection of the particular contractor are:

At the Dixon Correctional Center, the two steam driven vacuum condensate return pumps have failed. These two pumps return the steam condensate to the boilers in the powerhouse. The failure requires the addition of untreated water to allow for continued steam generation. Untreated water causes damage to and shortens the life of the boiler system. Dixon Correctional Center will not be able to provide winter heating, domestic hot water, dietary, and cooling in the summer months if the boilers must be shutdown.

(Continue on next page if necessary)

Expected Start Date: 02/29/12 Expected End Date: 08/24/12

Extension of previous emergency purchase: ☐ Yes or ☒ No

Term of emergency procurement shall not exceed 90 days. Contract may be extended beyond 90 days if CPO determines additional time is necessary; however, prior to execution of extension, CPO must hold a public hearing and provide written description.

Amount of this expenditure is: \$ _____ ☐ Actual or \$ 900,000 ☒ *Estimated

*When only an estimate of cost is available, the actual cost shall be reported immediately after it is determined.

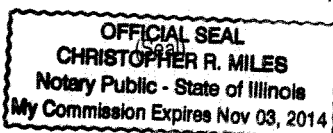
I am duly authorized to make this affidavit. I know and understand the contents of this affidavit and all statements herein are true and correct. This affidavit is made pursuant to and in fulfillment of the requirements of Illinois Procurement Code [30 ILCS 500/20-30].

Gus Behnke

Signature of Affiant

Subscribed and sworn before me this 2 day of March 2012.

Christopher R. Miles
Notary Public



My Commission expires: 11/3/14

Section 20-30. Emergency purchase

(a) Conditions for use. In accordance with standards set by rule, a purchasing agency may make emergency procurements without competitive sealed bidding or prior notice when there exists a threat to public health or public safety, or when immediate expenditure is necessary for repairs to State property in order to protect against further loss of or damage to State property, to prevent or minimize serious disruption in critical State services that affect health, safety, or collection of substantial State revenues, or to ensure the integrity of State records; provided, however, that the term of the term of the emergency purchase shall be limited to the time reasonably needed for a competitive procurement, not to exceed 90 days. A contract may be extended beyond 90 days if the chief procurement officer determines additional time is necessary and that the contract scope and duration are limited to the emergency. Prior to the execution of the extension, the chief procurement officer must hold a public hearing and provide written justification for all emergency contracts. Members of the public may present testimony. Emergency procurements shall be made with as much competition as is practicable under the circumstances. A written description of the basis for the emergency and reasons for the selection of the particular contractor shall be included in the contract file.

(b) Notice. Notice of all emergency procurements shall be provided to the Procurement Policy Board and published in the online electronic Bulletin no later than 3 business days after the contract is awarded. Notice of intent to extend an emergency contract shall be provided to the Procurement Policy Board and published in the online electronic Bulletin at least 14 days before the public hearing. Notice shall include at least a description of the need for the emergency purchase, the contractor, and if applicable, the date, time and location of the public hearing. A copy of this notice and all documents provided at the hearing shall be included in the subsequent Procurement Bulletin. Before the next appropriate volume of the Illinois Procurement Bulletin, the purchasing agency shall publish in the Illinois Procurement Bulletin a copy of each written description and reasons and the total cost of each emergency procurement made during the previous month. When only an estimate of the total cost is known at the time of publication, the estimate shall be identified as an estimate and published. When the actual total cost is determined, it shall also be published in like manner before the 10th day of the next succeeding month.

(c) Affidavits. A chief procurement officer making a procurement under this Section shall file affidavits with the Procurement Policy Board and the Auditor General within 10 days after the procurement setting forth the amount expended, the name of the contractor involved, and the conditions and circumstances requiring the emergency procurement. When only an estimate of the cost is available within 10 days after the procurement, the actual cost shall be reported immediately after it is determined. At the end of each fiscal quarter, the Auditor General shall file with the Legislative Audit Commission and the Governor a complete listing of all emergency procurements reported during that fiscal quarter. The Legislative Audit Commission shall review the emergency procurements so reported and, in its annual reports, advise the General Assembly of procurements that appear to constitute an abuse of this Section.

(d) Quick purchases. The chief procurement officer may promulgate rules extending the circumstances by which a purchasing agency may make purchases under this Section, including but not limited to the procurement of items available at a discount for a limited period of time. (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

For continuation if necessary:

Reference # _____

[illegible]

MEMORANDUM

TO: Capital Programs
Capital Development Board

FROM: Department of Corrections
(Name of Agency)

DATE: 22-Feb-12

SUBJECT: Emergency Purchase Request

The Department of Corrections is requesting that the Capital Development Board take action to procure, on an emergency basis, one or more contracts to address an emergency need of the State.

This situation meets the following condition(s) for use as set forth in 30 ILCS 500/20-30:

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | There exists a threat to public health or public safety. |
| <input checked="" type="checkbox"/> | Immediate expenditure is necessary for repairs to State property in order to protect against further loss or damage. |
| <input checked="" type="checkbox"/> | It is necessary to prevent or minimize serious disruption in State services. |
| | It is necessary to insure the integrity of State records. |

Specific justification for the emergency conditions listed above are as follows:
(Please attach relevant documentation)

The steam driven vacuum condensate pumps at the power house of the Dixon Correctional Center have failed or are in the process of failing. One of the condensate pumps has been disassembled and the damaged parts were sent to the manufacturer for inspection, assessment and an estimate for the repairs. The remaining condensate pump is barely operational and is being controlled by throttling the steam valve rather than the failed actuator valve. Operating the condensate pump in this manner is not recommended. It may result in damaging the steam valve and render the condensate pump inoperable.

If both condensate pumps fail and cannot return the steam condensate to the boilers in the power house, facility personnel would have to valve off the pumps and dump the condensate to drain. Raw water would have to be introduced into the boiler to keep up with the demand for steam. The introduction of raw water into the boiler for any length of time is not recommended or advisable and could require the boiler to be rebuilt. If steam condensate is not returned to the power house by the vacuum pump system, it could cause a blockage resulting in the rupture of a steam pipe.

The Dixon Correctional Center relies on steam for building heating, domestic hot water and for cooking. The demand for steam is year round but is less in the summer. If the boilers have to be shut down because of the failure of the vacuum condensate pumps, it would cause serious disruption to the services provided by the Dixon Correctional Center.

I am

Steven K White, Manager, Capital Programs Unit IDOC
(Please give official title and office.)

We understand that CDB will coordinate with its CPO who will make all appropriate postings to the Procurement Bulletin and will file all necessary affidavits and updates with the Auditor General.